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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,472	06/20/2001	Jeffrey A. Bedell	53470.003022	9606

7590

06/03/2004

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EXAMINER

HOLMES, MICHAEL B

ART UNIT

PAPER NUMBER

2121

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/884,472

Applicant(s)

BEDELL ET AL.

Examiner

Michael B. Holmes

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-19 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☒ Claim(s) 4 & 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____



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Examiner's Detailed Office Action

Claim Objection

1. **Claim 4 & 6** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

Art Unit: 2121

international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. **Claims 1-3 & 5** are rejected under 35 U.S.C. 102(e) as being anticipated by **Hurwood et al. (USPN 6,697,808 B1)**.

5. The applied reference has a common inventor & assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1:

Hurwood teaches,

A reporting system comprising:

a report initiating means for generating a request for a report; **[FIG. 1, item 110]**

one or more data storage devices for holding the data used for generating the report; **[(FIG. 1, item 108a – 108n)]**

an intelligence server, in communication with the user engine, for receiving the generated request from the report initiating means, and for routing the request for processing, the intelligence server including an object server for controlling and managing all application objects independent of an interface or a user; **[(FIG. 1, item 103)]**

a query engine for mediating the generated request received from the user engine to format and process the request, submitting the request against the data stored in the one or more data storage devices, extracting the data from the data storage devices and returning one or more result sets from the submitted request; **[(FIG. 1, item 106)]** and
an analytical engine for receiving the result sets, performing further processing of the result sets by running a plurality of statistical analyses of the data included in the result sets to generate a report for presentation to a user.

Regarding claim 2:

Hurwood teaches,

The reporting system as claimed in claim 1 further comprising a transmission facility for transmission of a generated report via a communication channel to the user. **[(col. 5, line 14-38**
“The analytical engine 104 may process such queries to generate a quantitative report 110, which may include a table or other output indicating the results 114 extracted from the data storage devices 108a, 108b . . . 108n. The report 110 may be presented to the user via the user engine 102, and, in some embodiments, may be temporarily or permanently stored on the user engine 102, a client machine or elsewhere, or printed or otherwise output. In some embodiments of the system 100 of the invention, the report 110 or other output may be transmitted to a transmission facility 112, for transmission to a set of personnel via an email, an instant message, a text-to-voice message, a video or via another channel or medium. The transmission facility 112 may include or interface to, for example, a personalized broadcast platform or service such as the Narrowcaster.TM. platform or Telecaster.TM. service sold by MicroStrategy Incorporated or

another similar communications channel or medium. Similarly, in some embodiments of the invention, more than one user engine 102 or other client resource may permit multiple users to view the report 110, such as, for instance, via a corporate intranet or over the Internet using a Web browser. Various authorization and access protocols may be employed for security purposes to vary the access permitted users to such report 110 in such embodiments.”]

Regarding claim 3:

Hurwood teaches,

The reporting system as claimed in claim 2 wherein the transmission facility may transmit the generated report to the user using one or more of an email communication channel, a text-to-message communication channel, a video communication channel, a web site communication channel, a telephone communication channel, a facsimile communication channel, a pager communication channel, a PDA communication channel, and a WAP protocol device communication channel. [(col. 5, line 14-38 “*The analytical engine 104 may process such queries to generate a quantitative report 110, which may include a table or other output indicating the results 114 extracted from the data storage devices 108a, 108b . . . 108n. The report 110 may be presented to the user via the user engine 102, and, in some embodiments, may be temporarily or permanently stored on the user engine 102, a client machine or elsewhere, or printed or otherwise output. In some embodiments of the system 100 of the invention, the report 110 or other output may be transmitted to a transmission facility 112, for transmission to a set of personnel via an email, an instant message, a text-to-voice message, a video or via another channel or medium. The transmission facility 112 may include or interface to, for example, a*

personalized broadcast platform or service such as the Narrowcaster.TM. platform or Telecaster.TM. service sold by MicroStrategy Incorporated or another similar communications channel or medium. Similarly, in some embodiments of the invention, more than one user engine 102 or other client resource may permit multiple users to view the report 110, such as, for instance, via a corporate intranet or over the Internet using a Web browser. Various authorization and access protocols may be employed for security purposes to vary the access permitted users to such report 110 in such embodiments.”)]

Regarding claim 5:

Hurwood teaches,

A method for generating a report comprising the steps of receiving a request for a report from a user; [FIG. 1, item 110; (col. 1, line 33-38 “It is therefore desirable to provide a reporting platform from which a user can access information from large databases in as efficient and convenient a manner as possible. In addition, it is desirable to establish a procedure for running a report that allows the report to be quickly and easily regenerated.”)]

transmitting the received request to a query engine; [(FIG. 2, item 214)]

identifying one or more data storage devices to receive the request; [(FIG. 2, item 216)]

ID transmitting the request to the identified one or more data storage devices; [(FIG. 3, item 354)]

extracting data from the one or more data storage devices responsive to the transmitted request to form one or more result sets; [(FIG. 4, item 300-316)]

transmitting the one or more result sets to an analytical engine; [(FIG. 1, item 104)] and

generating a report from the result sets. [(FIG. 1, item 110)]

Allowable Subject Matter

6. **Claims 7-19 are allowed.**

Conclusion

7. The prior art made of record and (listed of form **PTO-892**) not relied upon is considered pertinent to applicant's disclosure as follows. Applicant or applicant's representative is respectfully reminded that in process of patent prosecution i.e., amending of claims in response to a rejection of claims set forth by the Examiner per Title 35 U.S.C. The patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and any objections made. Moreover, applicant or applicant's representative must clearly show how the amendments avoid or overcome such references and objections. *See 37 CFR § 1.111(c).*

Correspondence Information

8. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Michael B. Holmes** who may be reached via telephone at **(703) 308-6280**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding After Final

Art Unit: 2121

issues, please send it to (703) 746-7238. If you need to send an Official facsimile transmission, please send it to (703) 746-7239. If you would like to send a Non-Official (draft) facsimile transmission the fax is (703) 746-7240. If attempts to reach the examiner by telephone are unsuccessful, the **Examiner's Supervisor, Anthony Knight**, may be reached at (703) 308-3179.

Any response to this office action should be mailed too:

Director of Patents and Trademarks Washington, D.C. 20231. Hand-delivered responses should be delivered to the Receptionist, located on the fourth floor of **Crystal Park II, 2121 Crystal Drive Arlington, Virginia.**

Michael B. Holmes

Patent Examiner

Artificial Intelligence

Art Unit 2121

United States Department of Commerce

Patent & Trademark Office



Anthony Knight
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